Title: How-to's for "BGs"

This session will provide instructions for properly completing the 702 KAR 4:160 Capital Construction Process

- BG-1 Project Application;
- BG-4 Construction Closeout; and
- BG-5 Project Closeout forms,
- including information related to District Facility Plan (DFP) priority, fund sources, cash investment earnings, residual funds and construction contract closeout.





Agenda

- 702 KAR 4:160 Capital Construction Process
 - Typical Project Workflow
- BG-1 Project Application
 - DFP Priority
 - Funds Sources
- BG-4 Construction Contract Closeout
- BG-5 Project Closeout
 - Cash Investment Earnings
 - Residual Funds





KRS 162.060 Plans for school buildings to be approved.

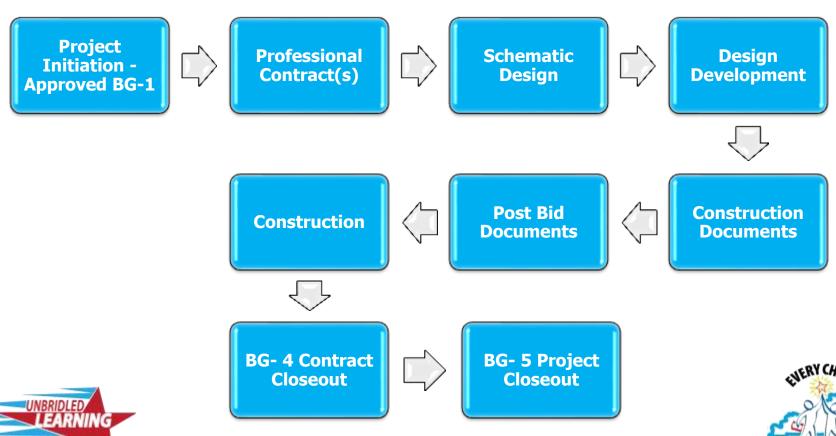
The chief state school officer shall be furnished a copy of all plans and specifications for new public school buildings contemplated by boards of education and for all additions to or alterations of old buildings. He shall examine or cause to be examined all such plans and specifications and shall approve or disapprove them in accordance with the rules and regulations of the Kentucky Board of Education. Plan reviews for conformance with the Uniform State Building Code shall be conducted only by the Department of Housing, Buildings and Construction. No board of education may award a contract for the erection of a new building or contract for an addition to or alteration of an old building until the plan has been approved by the chief state school officer.



Effective: July 15, 2010

Effective: September 6, 2013

Typical Project Workflow





Revision Effective September 6, 2013

Capital Construction Process

- > Starts with submission of a BG-1 Project Application (BG-1 Form)
 - Must review DFP
 - Must understand funding
- An application shall be submitted for each project that is:
 - (a) Funded by Support Education Excellence in Kentucky (SEEK) capital outlay funds, Facility Support Program of Kentucky (FSPK) funds as provided by <u>KRS</u> <u>157.620</u>, School Facilities Construction Commission (SFCC) funds, or building funds as provided by <u>KRS</u> <u>160.476</u>;
 - (b) Proposing construction of a new building, addition, or alteration of an existing building that requires design by a design professional (an architect and/or engineer per <u>KRS 322.360</u> and <u>KRS 323.033</u>) for a building or building system;
 - (c) Proposing a guaranteed energy savings contract;
 - o (d) Proposing a minor project; or
 - (e) Proposing a major renovation.



Revision Effective September 6, 2013

BG-1 Project Application

- The BG-1 Form shall be approved by the board.
- > The board shall submit a signed BG-1 Form to the department for approval of a proposed construction project.
- (6) If an emergency occurs, impacting an activity for which a BG-1 Form is required:
 - (a) The superintendent shall:
 - 1. Proceed with corrective actions, as needed;
 - 2. Notify the department of the emergency and request approval to continue with the plans and corrective action;
 - 3. Advise the board to declare an emergency in accordance with the district's officially adopted procurement method under KRS 424.260 or 45A.380; and
 - 4. Submit to the department:
 - a. BG-1 Form; and
 - b. The board order declaring the emergency; and

(KRS 45A.355 - written determination)



Revision Effective September 6, 2013

Local Board Approval

- All documents requiring board approval shall be approved by the board **prior** to submission to KDE. Board orders are **not** required to be submitted. However, the local district should develop a dedicated file for each project and include a copy of the board orders in that file.
- > The department may request a copy of a board order at any time as needed for approvals.
- ➤ Exception EMERGENCY BG-1 Project Applications require submission of a board order declaring the emergency.





	Initial:	Revised:	Emergency:
District	District	Facility	School
lame:	Code:	Name:	Code:
Grade Level Served:	Current Student (Capacity: Dis	trict Facilities Plan Date:
roject Name:			Building ID Number:
Project Site Physical Address:	Street	City	
Construction Delivery Method:	General Contractor	•	Guaranteed Energy Savings Contract
onsulation better metros.			
istrict's Procurement Standard:	Model Procurement (KRS 45A)	Bid Law (KRS 424.260)	
. DESCRIPTION AND SCOPE OF	PROPOSED PROJECT		
Check and complete the appl	icable items:		
1. New Building			
2. Addition			
Major Renovation (De	scribe)		
New Relocatable Clas	sroom Nun	nber	Size
5. Equipment/Furnishing	s Procurement (Describe)		
6. Minor Project (Describ	e)		
7. Site (Complete the Fo	llowing)		
a. New Site Acc		Expansion	Number of Acres
b. A site has be	en acquired in accordance w	ith 702 KAR 4:050 requir	ements.
c. Location			
 d. Proposed site 	e currently owned by District	Yes	No If no, list site owner:
	100 and 702 L/AD 4:180		
B. Compliance with 702 KAR 4:1			
B. Compliance with 702 KAR 4:1 This application is being subn		trict Facility Plan):	
This application is being subn		trict Facility Plan):	
This application is being subn 1. Priority Category:	nitted for (refer to current Dist	trict Facility Plan):	
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KENTUCKY DEPARTMENT OF EDUCATION

702 KAR 4:160

BG-1 PROJECT APPLICATION FORM

PROJECT IDENTIFICATION	Initial:	Revised:	Emergency:	
District Name:	District Code:	Facility Name:	School Code:	
Grade Level Served:	Current Student (Capacity: Dist	rict Facilities Plan Date:	
Project Name:			Building ID Number:	
Project Site Physical Address:	Street	City		
Construction Delivery Method:	General Contractor	Construction Mgr.	Guaranteed Energy Savings Cont	ract
District's Procurement Standard:	Model Procurement (KRS 45A)	Bid Law (KRS 424.260)		





DESCRIPTION AND SCOPE OF PROPOSED PROJECT.

7. Site (Complete the Following)

Location

New Site Acquisition

Proposed site currently owned by District

. Check and complete the applicable items:		
1. New Building		
2. Addition		
Major Renovation (Describe)		
Major Renovation (Describe)		
3. Major Renovation (Describe) 4. New Relocatable Classroom	Number	Size
		Size

A site has been acquired in accordance with 702 KAR 4:050 requirements.

Expansion



No If no, list site owner:

Number of Acres



- Project Identification Identify Facility (or multiple facilities), Project Name and Location, Construction Delivery Method, District's Procurement Standard
- > 1 Description and Scope of Proposed Project
 - Project Type Refer to definitions in 702 KAR 4:160 for Major Renovation and Minor Project.
 - Note: Single system exceptions to definition of Major Renovation: HVAC, ADA Compliance, Life Safety and Security, or Roofing Systems
 - REQUIRED How the BG-1 Project Application relates to the District Facility Plan (DFP):
 - DFP Priority
 - Discretionary Item Number (Priority 5)
 - Minor Project not listed on DFP





C.	Provide a complete narrative of the proposed project.
D.	Proposed work related to the project but excluded from the scope of this BG1:

BG-1 Form - 2013 Page 1 of 2 BG#____



District Facility Plan (DFP) Priority

B. Compliance with 702 KAR 4:180 and 702 KAR 4:160

This application is being submitted for (refer to current District Facility Plan):

1.	Priority Category:	
2.	Discretionary Item Number:	
3.	Minor project not listed on Facility Plan:	

702 KAR 4:160

- (3)(a) If SFCC funds are included in the financing plan, projects shall be selected in prioritized order from the District Facility Plan created pursuant to 702 KAR 4:180.
- (b) If restricted funds other than SFCC are included in the financing plan, the board may select any project in any priority used to determine district need. (i.e. DFP Priority 1 4)
- (c) Projects not used to determine district need shall only be funded as defined by the General Assembly.



- Project Narrative / Project Scope Should reflect project scope on DFP, if restricted funds are a proposed plan of financing.
- Proposed work related to the project but excluded from this BG-1 scope of work. - i.e. future expansions, etc.

DFP Priority

- District Facility Plan (DFP) priority is used to verify the projects prioritized order on the DFP.
- ASK yourself this question: "Is the proposed project being funded by restricted funds?"
- If yes, then the project <u>shall be</u> Priority 1 4 (or highest priority, if SFCC funds) and be considered Capital Construction or Major Renovation (project types New Construction, Addition or Major Renovation)





BG-1 Form - 2013

	Initial:	Revised:	BG#	
ROJECT NAME:				
. PROPOSED PLAN TO FINANCE	APPLICATION			
A. Statement of Probable Costs:		B. Funds Av	vailable:	
1. Total Construction Cost		1. SFCC Car	sh Req.	
Architect/Engineer Fee		2. SFCC Box		
Construction Manager Fee		3. SFCC Box		
4. Bond Discount			K Bond Sale	
5. Fiscal Agent Fee			. Fund Bond Sale	
Construction Contingencies		6. Cash - Ge		
7. Site Acquisition		7. Cash - Ca		
Equipment/Furnishings Equipment/Computers		8. Cash - Bu 9. Cash - Inv		
Equipment/Computers Technology Network Sys. (KETS)		9. Cash - Inv	. Earnings	
11. Other*		11. KYTC Rei	mhursomont	
12. Other*		12 Other*		
13. Other*		13. Other*		
14. Other*		14. Other*		
Total Project Cost	\$0.00		Funds Available	\$0.00
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KENTUCKY DEPARTMENT OF EDUCATION

702 KAR 4:160

BG-1 PROJECT APPLICATION FORM

SCHOOL DISTRICT:	Initial:	Revised:	BG#
PROJECT NAME:			
II. PROPOSED PLAN TO FINANCE APPLICATION			
A. Statement of Probable Costs:		B. Funds Available:	
1. Total Construction Cost 2. Architect/Engineer Fee 3. Construction Manager Fee 4. Bond Discount 5. Fiscal Agent Fee 6. Construction Contingencies 7. Site Acquisition 8. Equipment/Furnishings 9. Equipment/Computers		 SFCC Cash Req. SFCC Bond Req. SFCC Bond Sale Local FSPK Bond Sale Local Gen. Fund Bond Cash - General Fund Cash - Capital Outlay Cash - Building Fund Cash - Inv. Earnings 	
10. Technology Network Sys. (KETS)		10. KETS	
11. Other*		 KYTC Reimbursemen 	t
12. Other*		12. Other*	
13. Other*		13. Other*	
14. Other*		14. Other*	
Total Project Cost	\$0.00	Total Funds Avai	lable \$0.00

THE ABOVE INFORMATION IS A STATEMENT OF PROBABLE COST AND FUNDS AVAILABLE AND IS REQUIRED TO BE REVISED TO CORRESPOND TO ACTUAL BIDS RECEIVED PRIOR TO THE SIGNING OF CONSTRUCTION CONTRACTS.

*Define



*Define

➤ Section 2 - Proposed Plan to Finance Application - Initial BG-1 considered an estimate and Revised BG-1 is revised to: update estimate, to reconcile with bid or to confirm to actuals.

COSTS

- > Total Construction Cost Estimated Construction Cost or Actual Bid Amount of Construction Contract.
- ➤ Architect / Engineer Fee Estimated Architect / Engineer Fee based upon Total Construction Cost Refer to A/E Fee Guidelines.
- Construction Manager Fee Estimated Construction Manager Fee based upon Total Construction Cost Refer to CM Fee Guidelines.
- > Bond Discount Cost related to bond sale, if applicable.
- > Fiscal Agent Fee Cost related to bond sale, if applicable.



- > Construction Contingencies Minimum of 5% of Total Construction Cost and intended to used during the construction phase for potential change orders during the project.
- > Site Acquisition Cost of proposed site acquisition, if applicable. Site Acquisition approval is required, per 702 KAR 4:050.
- Equipment/Furnishings Cost related to project related procurement equipment / furnishings
- Equipment / Computers Cost related to project related procurement equipment / furnishings
- Technology Network System (KETS) Cost related to project related technology network system
- Other Costs User defined i.e. project related printing costs, HBC plan review, inspections, surveys, etc.)

FUND SOURCES

RESTRICTED FUND SOURCES

- SFCC Cash Requirement "Escrowed" Capital Outlay Funds (Fund 310) or Building Fund/FSPK Funds (Fund 320) from prior odd-numbered fiscal years.
- > SFCC Bond Sale SFCC offer of assistance preliminary bond sale amount (Initial BG-1 / Revised BG-1) / Actual SFCC bond sale amount after bond sale (Revised BG-1)
- Local FSPK Bond Sale Local funds bond sale preliminary bond sale amount (Initial BG-1 / Revised BG-1) / Actual bond sale amount after bond sale (Revised BG-1)
- > Cash Capital Outlay (Fund 310) available cash in current fiscal year or carry over from prior even-numbered fiscal year less debt service payments.

FUND SOURCES

RESTRICTED FUND SOURCES cont.

- > Cash Building Fund (Fund 320) available cash in current fiscal year or carry over from prior even-numbered fiscal year less debt service payments.
- ➤ Cash Investment Earnings Cash earnings from investments during the project. Interest earned on restricted funds shall become a part of the funds in which interest was earned. May be identified on a Revised BG-1 at the end of a project to reconcile with BG-5 Project Closeout. Cash Investment earnings carried over from a closed project shall be considered residual funds. Cash Investment Earnings FUND SOURCE RESTRICTION varies due to original fund source.
- KETS Reimbursement for project costs related to KETS Technology Network Systems. KETS approval required.
- KYTC Reimbursement Reimbursement for project costs related to KYTC right-of-way. KYTC approval required.

EVERYCA

UNRESTRICTED FUND SOURCES

- > Cash General Fund Unrestricted fund source
- ➤ Local General Fund Bond Sale General funds bond sale preliminary bond sale amount (Initial BG-1 / Revised BG-1) / Actual bond sale amount after bond sale (Revised BG-1)

OTHER FUND SOURCES

- ➤ Other Fund Sources User defined (i.e. boosters, donations, 18C4 20% Voc. SEEK, Residual Funds, Food Service Funds, Federal Funds, etc.) Additional requirements may be required. For example:
 - An External Partner Agreement is required for boosters, donations or 3rd party fund sources. Template is available on KDE Facilities Construction website.
 - Residual Funds The BG project number shall be identified and the project shall be closed out. Also, if SFCC funds were used in original project, then the district must request SFCC permission to use those residual funds on the proposed project.

➤ District Approval Signatures and Dates – REQUIRED The approval signature of the Superintendent, Finance Officer and Local Board Chair (or their designees) and approval date is required prior to submission of the board–approved BG-1 Project Application.

 Superintendent	Date
 Finance Officer	Date
Chairman	Date





Revision Effective September 6, 2013

Do Not Submit Incomplete BG-1 Project Applications

- > Total Project Cost = Total Project Funds
- All District Signatures Required
- Project Cost
 - Construction Contingencies minimum 5% Total Construction Cost
- Project Funds
 - o If SFCC fund, SFCC approval shall be required.
 - o If other fund type is Residual Fund, then BG# shall be provided and that BG# shall be closed out (BG-4 and BG-5). The residual funds are considered to be under the same restriction as the most restrictive fund source of the closed out BG#. If residual funds are SFCC, then district must request SFCC approval.
 - If other fund type, such as Booster Club, then an External Partnership Agreement shall be submitted with the BG-1. This agreement is available on KDE Facilities Construction webpage.
 - DFP priority information is required.



Revision Effective September 6, 2013

BG-4 Construction Contract Closeout (BG-4)

702 KAR 4:160 Section 12 - Construction Contract Closeout

- (1) The applicable design professional, CM, or qualified provider shall furnish the board a completed BG-4 Contract Closeout Form, 2013 (BG-4 Form) and record documents, with applicable information—requesting approval of:
 - (a) Each contract, including change orders; and
 - (b) A reconciliation of the summary of all purchase orders, if utilized, including change orders, for each contract.
- (2) If the board agrees the construction contract is complete and all accounts are reconciled, it shall approve the BG-4 Form and forward it to the department for review and approval.



Revision Effective September 6, 2013

BG-4 Construction Contract Closeout (BG-4)

> REQUIRED for each Construction Contract, including Direct Purchase Orders and Change Orders, upon completion of construction contract.

Section A - Project Construction Cost

- Original Contract Amount Original Amount of Executed Contract
- Net Total of Change Orders to Contract Sum of approved change orders to the construction contract
- Original Purchase Order Summary Amount Sum of the original amount of all Owner Direct Purchase Orders associated with the construction contract.
- Net Total of Change Orders to Purchase Orders Sum of approved change orders to all Owner Direct Purchase Orders associated with the construction contract.

702 KAR 4:160. Capital Construction Process Revision Effective September 6, 2013

BG-4 Construction Contract Closeout (BG-4)

Section A – Project Construction Cost (cont.)

 Total Cost of Construction (sum of lines 1 – 4) – Total Cost of Construction for the construction contract.

Section B - Verification of required approvals by other regulatory agencies Varies depending upon project type.

Section C - Closeout items and substantial completion of work under contract Varies depending upon project type.





702 KAR 4:160. Capital Construction Process Revision Effective September 6, 2013

BG-5 Project Closeout Form (BG-5)

- 702 KAR 4:160 Section 12 Construction Contract Closeout Process
- (3) When all construction contracts are complete, if the board agrees the project is complete, it shall approve the BG-5 Project Closeout Form, 2013 (BG-5 Form) and forward it to the department for review and approval.
 - New form which reconciles the Final Project Cost.
 - > Can be used to determine residual funds (left over monies from a closed out BG project).





Revision Effective September 6, 2013

BG-5 Project Closeout Form (BG-5)

- > **REQUIRED** to close out a project, before residual funds may be used for another project.
- Section A Project Completion and Inventory Update
 - Project Total Gross Square Footage May be provided by the design professional
 - Date of Project Substantial Completion Date the work performed under this project has been reviewed and found to be substantially complete, according to the KDE approved Construction Documents.
 - Date of Inventory Update Upon project completion, submit a revised total building inventory file, per 702 KAR 4:180, for building(s) modified or newly constructed during the project.

702 KAR 4:160. Capital Construction Process Revision Effective September 6, 2013

BG-5 Project Closeout Form (BG-5)

- > Section B Reconciliation of Final Project Cost
 - Current BG-1 Costs and Current BG-1 Funds Available columns should reflect the latest approved BG-1 Project Application Financial Summary.
 - BG-5 Final Project Cost Construction Contingency amount = zero
 - BG-5 Final Total Project Costs amount = BG-5 Final Total Project Funds amount.
 - Cash Investment Earnings Enter the amount of interest earned from an interest bearing account, if any.

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BG-5 Project Closeout Form (BG-5)

- ➤ The BG-5 form identifies "residual funds" by subtracting the BG-5 Final Total Project Cost from Current BG-1 Total Project Cost. The rules for spending any residual funds are to be the same rules which govern the most restricted funds in the project from which the funds remain. (least restrictive funds to be used first)
- ➤ If the BG-5 Final Total Project Costs amount is greater than the Current BG-1 Total Project Cost amount, then a Revised BG-1 is required prior to submission of the BG-5 form.





Form: BG-5 Project Closeout (snapshot)

1. 2. 3. 4. 5. 6. 7. 8. 9. 10.	Bond Discount \$ 3,831 Fiscal Agent Fee \$ 1,112 Construction Contingencies \$ 8,100 Site Acquisition \$ Equipment/Furnishings \$ Equipment/Computers \$ Tech. Network Sys. (KETS) \$	FINAL PROJECT COSTS 0.00 \$ 162,000. 2.00 \$ 13,419. - \$ - 1.00 \$ 3,831. 2.00 \$ 1,112. 0.00 - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$	Construction Contingency should be zero CURI FUNDS (reconciled) COC ASH Req. SFCC Bond Req. SFCC Bond Sale COC A. Local FSPK Bond Sale COC A. Local Gen Fund Bond Sale Cocash - General Fund Cocash - Capital Outlay Cocash - Building Fund Cocash - Inv. Earnings Cocash - Inv.	RENT BG-1 S AVAILABLE d with bid amounts) \$	FINAL FUND SOURCES UTILIZ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	ZED
	Other* \$ Other* \$	- \$ - \$ -	13. Other* 14. Other*	\$ - \$ -	\$	<u>-</u>
14.	Total Costs: \$\ 191,535 * Define The expense totals reflect	s 180,866.		\$ 191,535.00	\$ 180,866 project. Diffe	erence of [Latest roved BG-1 Total
	The ABC District Local Board of Education Design		n accepts this project as being comp	plete subject to the revie	ew of KDE. Final = Res	ect Cost] - [BG-5 Total Project Cost] Sidual Amount

Questions



